

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNATHAN CRAFT, et al.

Defendant.

Case No. **19-cr-1631 (DHU)**

**UNOPPOSED
MOTION TO EXTEND DEADLINES RELATED TO
DEFENDANT CRAFT'S POTENTIAL JURY SELECTION CHALLENGE**

COMES NOW, Defendant JOHNATHAN CRAFT, by his appointed CJA counsel, Barry G. Porter and Susan Burgess-Farrell, and respectfully requests that this Court enter an order extending the dates for the motions, notices, and responses for Defendant Craft's potential Challenge to the Jury Selection Process. The current dates were set in the Court's Minute Order filed May 1, 2023. (Doc. 519). This request is made pursuant to Mr. Craft's on-going litigation regarding the jury selection process utilized in the U.S. District Court in New Mexico, 28 U.S.C. § 1861, et. seq. and the Fifth & Sixth Amendments to the United States Constitution.

In support of this Motion, Mr. Craft respectfully submits the following:

1. On June 12, 2019, a federal Grand Jury Indicted Mr. Craft along with several other individuals with ten criminal offenses comprising: Count 1: Conspiracy to Commit Sex Trafficking, Counts 2-4: Sex Trafficking by Means of Force, Count 5:

Benefitting Financially from Sex Trafficking, Count 6: Racketeering in Violation of the Travel Act, Count 7: Conspiracy pursuant to U.S.C. § 846, Count 8: Maintaining a Drug-Involved Premise, Count 9: Maintaining a Drug-Involved Premise within 1,000ft of a school, Count 10: Conspiracy to Commit Money Laundering.

2. On April 24, 2023, the Court commenced a jury trial for Mr. Craft and his co-defendant Pragneshkumar Patel. At the start of jury selection, Mr. Craft via legal counsel, commenced a jury selection challenge and asserted that the jury selection process in place in the NM federal District Court did not yield a fair and representative cross-section of the community.

3. After inquiry with the Court Clerk's jury division personnel, the Court learned that several of the last jury venires generated by the jury division failed to have any African American representation.

4. On May 1, 2023, the Court held a Status Conference on the potential Jury Selection Challenge and issued various deadlines for motions, notices and responses. (Doc 519).

5. Mr. Craft subsequently filed a Motion for the Disclosure of Jury Selection Data Disclosure on May 3, 2023 (Doc 520). The court granted that motion. The federal court clerk has disclosed two groups of data. The first group was disclosed on May 19, 2023, and the second group was disclosed on June 7, 2023.

6. Mr. Craft's experts on statistics and demographics have indicated that they need at least 60 additional days to analyze the data and provide Mr. Craft's legal counsel with opinions about the jury selection process.

7. Defense counsel has contacted Assistant United States Attorneys, Letitia Simms, and Jack Burkhead, and they do not oppose this request for a continuance of the jury selection challenge deadlines.

8. Mr. Craft is requesting an extension of the current deadline of June 7, 2023, for 60 days to August 7, 2023. Counsel is also requesting an extension of all other associated deadlines.

WHEREFORE Defendant Craft, respectfully requests that the Court enter an order granting an extension of the jury selection challenge motions, notices, and responses for a 60-day period.

Respectfully Submitted,
BURGESS & PORTER LAW, LLC

/s/ Barrett (Barry) G. Porter

I hereby certify that the foregoing Document was served electronically through the CM/ECF system, which caused electronic service of this document upon the assigned AUSA and all other parties in this matter.

/s/ Barrett (Barry) G. Porter

Barrett G. Porter, Counsel for Defendant

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